

MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
TUESDAY, MARCH 15, 2005
COUNTY COMMISSIONERS HEARING ROOM, ROOM 112
FIRST FLOOR, COUNTY-CITY BUILDING
1:30 P.M.

Commissioners Present: Larry Hudkins, Chair
Deb Schorr, Vice Chair
Bernie Heier
Ray Stevens
Bob Workman

Others Present: Kerry Eagan, Chief Administrative Officer
Bruce Medcalf, County Clerk
Kristy Mundt, Deputy County Attorney
Trish Owen, Chief Deputy County Clerk
Gwen Thorpe, Deputy Chief Administrative Officer

The Board of Commissioners meeting was called to order at 1:30 p.m..

- 1) **MINUTES: Approval of the minutes of the Board of Commissioners meeting held on Tuesday, March 8, 2005.**

MOTION: Workman moved and Stevens seconded approval of the minutes of the Board of Commissioners meeting dated March 8, 2005. Schorr, Stevens, Workman, Heier and Hudkins voted aye. Motion carried.

- 2) **SPECIAL PRESENTATIONS:**

A. The Annual Commissioners Award of Excellence for 2004 was presented to Brian Pillard, Records and Information Management Manager.

B. Annual Honorable Mention Commissioners Award of Excellence for 2004 were presented to Melanie Bailey, an employee with the Corrections Department and Sue Pethtel, with Lancaster Manor.

- 3) **PUBLIC COMMENT:**

There was no public comment and the meeting proceeded as planned.

4) **CLAIMS:** Approval of all claims processed through Tuesday, March 15, 2005.

MOTION: Stevens moved and Workman seconded approval of all claims processed through March 15, 2005. Stevens, Heier, Workman, Schorr and Hudkins voted aye. Motion carried.

5) **PUBLIC HEARINGS:**

A. County Change of Zone 04087, from AG Agricultural District to B Business District, requested by Rudolf Strnot, to construct and operate a mini-storage facility on approximately three acres of property generally located on the southeast corner of 134th and "O" Streets (Highway 34) in Lancaster County, Nebraska. (See New Business Item 6A for correlating resolution.)

The Chair opened the public hearing.

The Clerk administered the oath to Rudolf Strnot, 7301 Briarhurst Drive, Lincoln, Nebraska.

Strnot gave a brief overview of the proposal stating that he was requesting the change of zone to build a storage facility on 3.5 acres of property. He added that of the 27 acres, 15 percent of the property is located in the floodplain, however, the property for the storage facility is outside the floodplain. Strnot indicated that the storage facility would be fenced and have a security system, as well as, security cameras for each unit. He added there would also be two full-time employees.

The Chair asked if anyone else wished to testify.

No one appeared and the hearing was closed.

6) **NEW BUSINESS:**

- A. A resolution in the matter of County Change of Zone 04087, from AG Agricultural District to B Business District, requested by Rudolf Strnot, to construct and operate a mini-storage facility on approximately three acres of property generally located on the southeast corner of 134th and "O" Streets (Highway 34) in Lancaster County, Nebraska. (R-05-0027)**

Workman asked why the zoning change was needed for the entire 27 acres.

Mike DeKalb, Planning Department, referred to page ten of the Factsheet indicating the Board could approve the zoning change for the 3.5 acres and not the entire parcel.

MOTION: Workman moved and Schorr seconded to direct the County Attorney's Office to draft a resolution regarding County Change of Zone 04087 for 3.5 acres of property on property generally located on the southeast corner of South 134th and "O" Streets (Highway 34) and to include a legal description as described on page ten of the Planning Factsheet. Heier, Workman, Schorr and Hudkins voted aye. Stevens voted no. Motion carried.

The Clerk noted that New Business Item 6M should be an Old Business item.

Board consensus was to move the item forward.

OLD BUSINESS:

An agreement with Legal Aid of Nebraska for the representation of indigent parents and juveniles in the Separate Juvenile Court of Lancaster County. Term of the agreement is from July 1, 2005 through June 30, 2008. The County will pay Legal Aid \$21,960 on a monthly basis. (C-05-0151)

MOTION: Heier moved and Workman seconded approval of an agreement with Legal Aid of Nebraska for the representation of indigent parents and juveniles in the Separate Juvenile Court of Lancaster County. Workman, Schorr, Heier, Stevens and Hudkins voted aye. Motion carried.

6) RETURNING TO NEW BUSINESS:

- B. A resolution awarding a bid to Christensen Bros., Inc. of Cherokee, Iowa, in the amount of \$796,845.85, regarding Federal Aid Project BR-5204(2), Beals Slough on Pioneers Boulevard. (R-05-0028)**

MOTION: Workman moved and Heier seconded approval of Resolution 05-0028 awarding a bid to Christensen Bros., Inc. of Cherokee, Iowa, in the amount of \$796,845.85, regarding Federal Aid Project BR-5204(2), Beals Slough on Pioneers Boulevard. Schorr, Heier, Workman, Stevens and Hudkins voted aye. Motion carried.

- C. A grant contract with Lincoln Council on Alcoholism and Drugs, Inc. for project management of the Drug Free Communities Grant, in the amount of \$62,505. Term of the grant contract is October 1, 2004 through September 30, 2005. (C-05-0140)**

MOTION: Stevens moved and Schorr seconded approval of a grant contract with Lincoln Council on Alcoholism and Drugs, Inc. for project management of the Drug Free Communities Grant, in the amount of \$62,505. Schorr, Workman, Heier, Schorr and Hudkins voted aye. Motion carried.

- D. A grant contract with Lincoln Council on Alcoholism and Drugs, Inc. to lead the Behavioral Health Coalition as it meets the objectives of the Community Services Initiative Project, in the amount of \$5,000. Term of the grant contract is January 1, 2005 through June 30, 2005. (C-05-0144)**

MOTION: Heier moved and Workman seconded approval of a grant contract with Lincoln Council on Alcoholism and Drugs, Inc. to lead the Behavioral Health Coalition as it meets the objectives of the Community Services Initiative Project, in the amount of \$5,000. Heier, Stevens, Schorr, Workman and Hudkins voted aye. Motion carried.

- E. An agreement between the Lincoln Council on Alcoholism and Drugs, Inc. and the Lancaster County Community Mental Health Center for a certified alcohol and drug abuse counselor (CADAC) for substance abuse assessments at a rate of \$26 per hour for approximately ten hours per week. Term of the agreement is July 1, 2004 through June 30, 2005. (C-05-0146)**

6) **NEW BUSINESS CONTINUED:**

MOTION: Schorr moved and Stevens seconded approval of an agreement between the Lincoln Council on Alcoholism and Drugs, Inc. and the Lancaster County Community Mental Health Center for a certified alcohol and drug abuse counselor (CADAC) for substance abuse assessments at a rate of \$26 per hour for approximately ten hours per week. Workman, Schorr, Stevens, Heier and Hudkins voted aye. Motion carried.

F. A grant contract with Lutheran Family Services of Nebraska, Inc. for a full-time education and employment specialist for the Heartland Refugee Resettlement Program, in the amount of \$38,048. Term of the grant contract is October 1, 2004 through September 30, 2005. (C-05-0141)

MOTION: Workman moved and Heier seconded approval of a grant contract with Lutheran Family Services of Nebraska, Inc. for a full-time education and employment specialist for the Heartland Refugee Resettlement Program, in the amount of \$38,048. Stevens, Workman, Heier, Schorr and Hudkins voted aye. Motion carried.

G. A grant contract with the Human Services Federation for project leadership, oversight, coordination and staffing to the Community Services Initiative project, in the amount of \$28,400. Term of the grant contract is January 1, 2005 through June 30, 2005. (C-05-0142)

MOTION: Stevens moved and Schorr seconded approval of a grant contract with the Human Services Federation for project leadership, oversight, coordination and staffing to the Community Services Initiative project, in the amount of \$28,400. Schorr, Stevens, Heier, Workman and Hudkins voted aye. Motion carried.

H. A grant contract with Lincoln Action Program for funding for the Housing and Urban Development (HUD) Homeless Case Manager, in the amount of \$10,000. Term of the grant contract is July 1, 2004 through June 30, 2005. (C-05-0143)

6) **NEW BUSINESS CONTINUED:**

MOTION: Stevens moved and Heier seconded approval of a grant contract with Lincoln Action Program for funding for the Housing and Urban Development (HUD) Homeless Case Manager, in the amount of \$10,000. Stevens, Schorr, Heier, Workman and Hudkins voted aye. Motion carried.

- I. A grant contract with Dimensions Educational Research Foundation to lead the Success by Six Youth Development Coalition as it meets the objectives of the Community Services Initiative Project, in the amount of \$5,000. Term of the grant contract is from January 1, 2005 through June 30, 2005. (C-05-0145)**

MOTION: Workman moved and Stevens seconded approval of a grant contract with Dimensions Educational Research Foundation to lead the Success by Six Youth Development Coalition as it meets the objectives of the Community Services Initiative Project, in the amount of \$5,000. Schorr, Stevens, Heier, Workman and Hudkins voted aye. Motion carried.

- J. A contract with Todd Harlan for the sale of approximately 200 surplus motor grader blades. Estimated total value of the contract for sale of the used blades is less than \$500. (C-05-0147)**

MOTION: Workman moved and Stevens seconded approval of a contract with Todd Harlan for the sale of approximately 200 surplus motor grader blades. Estimated total value of the contract for sale of the used blades is less than \$500. Workman, Schorr, Heier, Stevens and Hudkins voted aye. Motion carried.

- K. An agreement terminating County Contract C-04-0277 with YWCA of Lincoln for care coordination using the wraparound process for youth, ages 10 to 18 years old, who have severe emotional disorders and who are in or at risk of becoming involved with the juvenile justice system. The County and YWCA agree that it is mutually beneficial to terminate the agreement effective April 2, 2005. (C-05-0148)**

6) **NEW BUSINESS CONTINUED:**

MOTION: Schorr moved and Stevens seconded approval of an agreement terminating County Contract C-04-0277 with YWCA of Lincoln for care coordination using the wraparound process for youth, ages 10 to 18 years old, who have severe emotional disorders and who are in or at risk of becoming involved with the juvenile justice system. Heier, Workman, Stevens, Schorr and Hudkins voted aye. Motion carried.

L. An agreement with Speece-Lewis, Inc. to review shop drawings and construction consultation for Project BR-5204(2), Pioneers Boulevard, Lincoln, Lancaster County, Nebraska. The County will pay 15 percent of the total contract price of \$1,709.55 for the services. (C-05-0149)

MOTION: Workman moved and Heier seconded approval of an agreement with Speece-Lewis, Inc. to review shop drawings and construction consultation for Project BR-5204(2), Pioneers Boulevard, Lincoln, Lancaster County, Nebraska. Schorr, Stevens, Workman, Heier and Hudkins voted aye. Motion carried.

M. An agreement with Legal Aid of Nebraska for the representation of indigent parents and juveniles in the Separate Juvenile Court of Lancaster County. Term of the agreement is from July 1, 2005 through June 30, 2008. The County will pay Legal Aid \$21,960 on a monthly basis. (C-05-0151)

This item was moved forward on the agenda.

N. Recommendation from the Purchasing Agent and the County Engineer to award a bid to TCW Construction, Inc., in the amount of \$250,774.08, for concrete box culverts at various locations within Lancaster County. (B-05-0010)

MOTION: Heier moved and Workman seconded approval to award a bid to TCW Construction, Inc., in the amount of \$250,774.08, for concrete box culverts at various locations within Lancaster County as recommended by the Purchasing Agent and the County Engineer. Heier, Workman, Stevens, Schorr and Hudkins voted aye. Motion carried.

6) NEW BUSINESS CONTINUED:

O. Recommendation from the Purchasing Agent and the County Engineer to award a bid to Brandt Excavating, in the amount of \$95,721.23, for erosion control of box culverts and bridges at various locations within Lancaster County. (B-05-0011)

MOTION: Stevens moved and Heier seconded approval to award a bid to Brandt Excavating, in the amount of \$95,721.23, for erosion control of box culverts and bridges at various locations within Lancaster County as recommended by the Purchasing Agent and the County Engineer. Workman, Stevens, Schorr, Heier and Hudkins voted aye. Motion carried.

P. Recommendation from the Purchasing Agent and the County Engineer to award a bid for rock hauling and production to various stockpiles within Lancaster County as follows: (B-05-0012)

The Clerk noted that the bid should be for gravel hauling instead of rock hauling.

Project 05-33H - Waverly Maintenance Station

Husker Trucking, Inc. (Hauler)	\$2.28/Ton	\$ 18,468
Lyman-Richey Sand & Gravel (Producer)	\$6.75/Ton	\$ <u>54,675</u>
Project Total		\$ 73,143

Project 05-34H - Raymond Maintenance Station

Lyman-Richey Sand & Gravel (Hauler)	\$2.49/Ton	\$ 13,944
Lyman-Richey Sand & Gravel (Producer)	\$6.75/Ton	\$ <u>37,000</u>
Project Total		\$ 51,744

Project 05-35H - Emerald Stockpile

Hiskey Trucking (Hauler)	\$3.40/Ton	\$ 10,200
Western Sand & Gravel (Producer)	\$6.90/Ton	\$ <u>20,700</u>
Project Total		\$ 30,900

Project 05-36H - SW 12th Street & W. Saltillo Road Stockpile

Westover (Hauler)	\$3.99/Ton	\$ 17,955
Lyman-Richey Sand & Gravel (Producer)	\$6.75/Ton	\$ <u>30,375</u>
Project Total		\$ 48,330

Project 05-37H - Roca Maintenance Station Stockpile

Buel Trucking (Hauler)	\$3.74/Ton	\$ 23,936
Western Sand & Gravel (Producer)	\$6.90/Ton	\$ <u>68,096</u>
Project Total		\$ 68,096

6) **NEW BUSINESS CONTINUED:**

Project 05-38H - South 68th Street between Olive Creek Road & Princeton Road

Westover Trucking (Hauler)	\$4.97/Ton	\$ 14,910
Lyman-Richey Sand & Gravel (Producer)	\$6.75/Ton	\$ <u>20,250</u>
Project Total		\$ 35,160

Project 05-39H - Walton Maintenance Station - South 134th and A Streets

Westover Trucking (Hauler)	\$2.72/Ton	\$ 10,880
Lyman-Richey Sand & Gravel (Producer)	\$6.75/Ton	\$ <u>27,000</u>
Project Total		\$ 37,880

Project 05-40H - SW 100th Street & Davey Stockpile

Western Sand & Gravel (Hauler)	\$2.20/Ton	\$ 5,500
Western Sand & Gravel (Producer)	\$6.90/Ton	\$ <u>17,250</u>
Project Total		\$ 22,750

Project 05-41H - SW 98th Street & Saltillo Road Stockpile

Hiskey Trucking (Hauler)	\$4.15/Ton	\$ 12,035
Western Sand & Gravel (Producer)	\$6.90/Ton	\$ <u>20,010</u>
Project Total		\$ 32,045

Total cost of hauling and production is \$400,048.

MOTION: Workman moved and Stevens seconded approval to award a bid for gravel hauling to various stockpiles located within Lancaster County as recommended by the Purchasing Agent and the County Engineer. Stevens, Heier, Workman, Schorr and Hudkins voted aye. Motion carried.

7) **CONSENT ITEMS:** These are items of business that are routine which are expected to be adopted without dissent. Any individual item may be removed for special discussion and consideration by a Commissioner or by any member of the public without prior notice. Unless there is an exception, these items will be approved as one with a single vote of the Board of Commissioners. These items are approval of:

A. Receive and Place on File:

1. Lancaster Manor's Monthly Report.
2. Records & Information Management's Monthly Report for February, 2005.
3. Lancaster County Cooperative Extension's Annual Report for October 1, 2003 through September 30, 2004.
4. Lancaster County Leasing Corporation Financial Statements for the year ended June 30, 2004.

7) CONSENT ITEMS CONTINUED:

5. Lancaster County Veterans' Aid Fund Financial Statements for the year ended June 30, 2004.

B. Setting of a public hearing for Tuesday, March 29, 2005 at 1:30 p.m. in the County Commissioners Hearing Room, Room 112, on the first floor of the County-City Building regarding Comprehensive Plan Amendment 05001, requested by the Public Works and Utilities Department and the Lower Platte South Natural Resources District, to amend the 2025 Lincoln-Lancaster County Comprehensive Plan, to include the Stevens Creek Watershed Master Plan as a subarea plan and to adjust the Future Land Use Plan accordingly.

C. Setting of public hearings for Tuesday, April 5, 2005 at 1:30 p.m. in the County Commissioners Hearing Room, Room 112, on the first floor of the County-City Building regarding the following:

1. County Change of Zone 05007, from AG Agricultural District to AGR Agricultural Residential District, requested by Mark Palmer of Olsson Associates on behalf of Lyle Mayer, for 57 acreage residential units on property generally located at the northeast corner of Southwest 84th Street and West Pioneers Boulevard in Lancaster County, Nebraska.
2. County Special Permit 05004, Meadow View 2nd Addition Community Unit Plan, requested by Mark Palmer of Olsson Associates on behalf of Lyle Mayer, to develop 29 residential acreages in the County jurisdiction (and 28 in the City jurisdiction), with requests to waive block length, sidewalks, street trees, street lights, landscape screening, non-perpendicular lot lines, minimum width to depth ratio and sanitary sewer to flow opposite street grades, on property generally located at the northeast corner of Southwest 84th Street and West Pioneers Boulevard in Lancaster County, Nebraska.
3. County Preliminary Plat 05001, Meadow View 2nd Addition, requested by Mark Palmer of Olsson Associates on behalf of Lyle Mayer, for 29 lots in the County jurisdiction (and 28 lots in the City jurisdiction), with requests to waive block length, sidewalks, street trees, street lights, landscape screening, non-perpendicular lot lines, minimum width to depth ratio and sanitary sewer to flow opposite street grades, on property generally located at the northeast corner of Southwest 84th Street and West Pioneers Boulevard in Lancaster County, Nebraska.
4. County Change of Zone 05009, from AG Agricultural District to AGR Agricultural Residential District, requested by Darcie Thavenet-Kvasnicka, to allow a future split creating approximately six, three-acre lots on property generally located northeast of the corner of South 96th Street and Wagon Train Road in Lancaster County, Nebraska.

7) **CONSENT ITEMS CONTINUED:**

5. County Miscellaneous 05003, requested by the Lancaster County Engineer, amending Chapter 5, Section 5.01, of the Lancaster County Land Subdivision Regulations, to reflect adjustment of the standards applied to street surfacing.

D. Request from Clifford Warne, an employee with Property Management, to voluntarily participate in the County's Retirement Plan having met the requirements.

E. A right-of-way contract relating to road improvements between the Lancaster County Engineering Department and Leone S. Harlan, in the amount of \$82, north of West Olive Creek on Southwest 2nd Street; Project C.P.C.W-280. (C-05-0150)

MOTION: Stevens moved and Schorr seconded approval of the Consent Items. Heier, Workman, Schorr, Stevens and Hudkins voted aye. Motion carried.

8) **ADJOURNMENT:**

MOTION: Schorr moved and Stevens seconded adjournment of the Board of Commissioners meeting at 2:35 p.m.. Heier, Workman, Schorr, Stevens and Hudkins voted aye. Motion carried.

Bruce Medcalf
County Clerk

**MINUTES
LANCASTER COUNTY BOARD OF EQUALIZATION
TUESDAY, MARCH 15, 2005
COUNTY COMMISSIONERS HEARING ROOM, ROOM 112
FIRST FLOOR, COUNTY-CITY BUILDING
IMMEDIATELY FOLLOWING THE REGULAR BOARD OF COMMISSIONERS
MEETING**

Commissioners Present: Larry Hudkins, Chair
Deb Schorr, Vice Chair
Bernie Heier
Ray Stevens
Bob Workman

Others Present: Kerry Eagan, Chief Administrative Officer
Scott Gaines, Chief Administrative Deputy County
Assessor/Register of Deeds
Bruce Medcalf, County Clerk
Kristy Mundt, Deputy County Attorney
Trish Owen, Chief Deputy County Clerk
Gwen Thorpe, Deputy Chief Administrative Officer

The Board of Equalization meeting was called to order at 2:35 p.m..

- 1) **MINUTES: Approval of the minutes of the Board of Equalization meeting held on Tuesday, March 8, 2005.**

MOTION: Workman moved and Schorr seconded approval of the minutes of the Board of Equalization meeting dated March 8, 2005. Schorr, Stevens, Workman and Hudkins voted aye. Heier abstained from voting. Motion carried.

- 2) **PUBLIC COMMENT:**

There was no public comment and the meeting proceeded as planned.

- 3) **ADDITIONS AND DEDUCTIONS:**

Approval of 53 additions and deductions to the tax assessment rolls per Exhibit A.

MOTION: Workman moved and Stevens seconded approval of the additions and deductions to the tax assessment rolls. Heier, Workman, Stevens, Schorr and Hudkins voted aye. Motion carried.

4) **MOTOR VEHICLE TAX EXEMPTIONS:**

City Impact
Cristo Rey Church
Lincoln Church of Christ
Mid-America Union Conference of Seventh-day Adventists
Nebraska United Methodist Foundation

MOTION: Stevens moved and Heier seconded approval of the motor vehicle tax exemptions. Workman, Stevens, Schorr, Heier and Hudkins voted aye. Motion carried.

5) **ADJOURNMENT:**

MOTION: Schorr moved and Workman seconded adjournment of the Board of Equalization meeting at 2:37 p.m.. Stevens, Heier, Workman, Schorr and Hudkins voted aye. Motion carried.

Bruce Medcalf
County Clerk